

RECEIVED  
JUL 17 1997  
FCC MAIL ROOM

## Pend Oreille County Libraries

In the communities of Metaline Falls, Lone, Calispel Valley, and Newport  
116 South Washington Avenue, Newport, WA 99156  
Telephone: 509-447-2111 / FAX: 509-447-2806 / E-mail: daverem@pocld.org

David Gray Remington, Director  
Janet Lyon, Associate Director

July 15, 1997

DOCKET FILE COPY ORIGINAL

Federal Communications Commission  
Office of the Secretary  
1919 M Street NW  
Washington, DC 20554

SUBJECT: Universal Service – Docket Number CC96-45

***Statement in opposition to SBC Communications request  
for stay of libraries and schools telecommunications  
discount ruling by FCC.***

At its July 14<sup>th</sup>, 1997 Board meeting, the Pend Oreille County (WA)  
Library District trustees passed the following resolution:

“The Pend Oreille County (WA) Library District Board of Trustees  
expresses its strong support for library telecommunications discounts as  
ruled for implementation by the Federal Communications Commission  
(FCC). These discounts are critical to future electronic services to its  
rural users.

The Board of Trustees urges its local telephone providers, GTE and Pend  
Oreille Telephone Company, NOT to challenge the FCC rules or join in  
the current suit against implementing the discounts to libraries by SBC  
Communications.”

The Pend Oreille County (WA) Library district requests the formal filing of  
this ***Statement of Opposition*** to granting SBC Communications its  
requested stay.

For the

PEND OREILLE COUNTY LIBRARY DISTRICT BOARD OF TRUSTEES

*Martin Robinson*

Martin Robinson, Chairman

Copies to: Honorable George R. Nethercutt, Representative, 5<sup>th</sup> District, WA  
Honorable Patty Murray, Senator, WA  
Honorable Slade Gorton, Senator, WA

No. of Copies rec'd \_\_\_\_\_  
List ABOVE

0

# Pennsylvania Association of Rural and Small Schools



# PARSS

[www.ezonline.com/parss](http://www.ezonline.com/parss)

Woodrow H. Sites, D. Ed.  
PRESIDENT

Donegal School District  
366 S. Market St.  
Mount Joy, PA 17552  
(717) 653-1447  
Fax: (717) 653-4088

Joseph F. Bard  
EXECUTIVE DIRECTOR

212 Locust St., Suite 400  
Harrisburg, PA 17101  
(717) 236-7180  
Fax: (717) 236-5840  
e-mail: [parss2@ezonline.com](mailto:parss2@ezonline.com)

July 15, 1997

DOCKET FILE COPY ORIGINAL

Mr. William Caton, Acting Secretary  
Federal Communications Commission  
Room 222, 1919 M Street NW  
Washington, DC 20554

Re: Joint Petition for Stay filed by Southwestern Bell Corporation, Pacific Bell and Nevada Bell,  
CC Docket No. 96-45

Dear Mr. Caton:

I am writing, on behalf of the 153 school districts that are members of the Pennsylvania Association of Rural and Small Schools, to request a denial of the joint petition referenced above.

At this time most of these districts are not able to access the Internet. Because of funds made available through Governor Ridge's Link To Learn program, many are preparing to be in a position to do so by the start of the 97-98 school year. A critical component is the cost of telephone service.

Our school districts adopted their budgets for this coming school year at the end of June. Those that included funds for lines and service did so with the FCC's Universal Service Order and the E-Rate in mind. Any change now will mean either cancellation of those plans, or paying up to double of their budgeted funds.

I do not think that such negative activity on the part of these mostly poor districts can be the desire of the FCC. It would certainly indicate a change of intent from the time the Universal Service Order was adopted.

In a state where the disparity in funding between wealthy and poor districts results in disparities as great as \$10,000 per child, the stakes are high and the need is urgent. The Joint Petition for Stay should be denied.

Sincerely,

  
Joseph F. Bard  
Executive Director

No. of Copies rec'd  
DATE

0



Merit Network, Inc.  
4251 Plymouth Road, Suite C  
Ann Arbor, Michigan 48105-2785

Phone: 313-764-9430  
Fax: 313-647-3185  
<http://www.merit.edu>

Eric M. Aupperle, *President*

July 16, 1997

Federal Communications Commission  
Office of the Secretary  
Room 222  
1919 M Street NW  
Washington, DC 20554

In the Matter of

Federal-State Joint Board on  
Universal Service

)  
)  
)  
)  
)

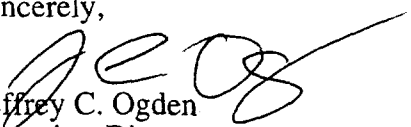
CC Docket No. 96-45


Dear Commissioners:

I am writing to encourage you to reject the request by SBC Communications, Inc. for a stay in the implementation of the Universal Service Fund for Schools and Libraries. Most and perhaps all of the issues being raised by SBC were addressed in either the Recommendations of the Joint Board or the FCC itself in its recent Report and Order on Universal Service. There were several comment periods when these issues could be and were raised as part of the process that lead to the Report and Order. While SBC is entitled to their day in court, there seems to be little reason to delay the program while this takes place given the work that has already been done by the Joint Board and FCC.

Merit provides Internet services to educational organizations in Michigan including schools and libraries. We know from this work that thousands of educators and librarians in Michigan are already hard at work developing their technology plans and technology inventory/assessments. We feel strongly that it would not be in the public interest to delay this program since this would waste at least part of this effort and would delay the time when school children and library patrons would see the benefits of Internet access and other advanced telecommunications services that will be made possible by the Universal Service Fund program.

Sincerely,

  
Jeffrey C. Ogden  
Associate Director

  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Member Universities**

- Central Michigan University • Eastern Michigan University • Grand Valley State University • Michigan State University •
- Michigan Technological University • Northern Michigan University • Oakland University • Saginaw Valley State University •
- University of Michigan • Wayne State University • Western Michigan University •



## Tredyffrin/Easttown School District

July 16, 1997

Mr. William Caton, Acting Secretary  
Federal Communications Commission  
Room 222, 1919 M Street NW  
Washington, DC 20554

DOCKET FILE COPY ORIGINAL

Re: Joint Petition for Stay Filed by Southwestern Bell Corporation, Pacific Bell and Nevada Bell, CC Docket No. 96-45

Dear Mr. Canton:

On behalf of the Tredyffrin/Easttown School District, I am writing to urge the FCC to deny the Joint Petition for Stay filed in response to the FCC's Universal Service Order.

Over the past year, I have attended meetings scheduled by the Pennsylvania School Boards Association devoted to educating school personnel on the E-Rate Program under the pending Universal Service Order. Based on this input and anticipated discounts, we have proceeded with a plan that will stretch our technology dollars in the budget. In the past two weeks, I have inquired about the proper procedure and paperwork required to apply for discounts. To grant the order halting the program does not make any sense since the program was to have started in two months and many school districts have made plans, raised expectations, and made commitments.

We would not like to see our students shortchanged by delays. I therefore strongly urge that you deny the Petition for Stay so that the program and our District's plans may proceed as originally intended.

Sincerely,

Emil R. Capetola  
Business Manager

ERC/gmw

No. of Copies rec'd 1  
List ABOVE



**OFFICE OF THE GOVERNOR**

American Samoa Government  
Pago Pago, American Samoa 96799

RECEIVED

JUL 17 1997

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

TAUESE P.F. SUNIA,  
Governor

TOGIOLA T.A. TULAFONO,  
Lt. Governor

Telephone: (684) 633-4116  
Fax: (684) 633-2269

DOCKET FILE COPY ORIGINAL

June 26, 1997

Serial: 956

The Honorable Reed E. Hundt  
Chairman  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

Dear Mr. Chairman:

In my letter to you dated April 28, 1997, I commented on American Samoa's position on the upcoming Rule and Order on Universal Service. My Administration has yet to submit communications to you concerning our position and our plans with respect to the matter of Rate Integration. Because the FCC intends to issue instructions to carriers on July 1, 1997, it does not appear that there is time for American Samoa to formulate a position for your reference in issuing the Ruling.

Accordingly, I would ask that the FCC provide American Samoa sixty days in which to formulate a position on Rate Integration and submit it to your office. We would also request that the Rule and Order which you issue on July 1 reflect the fact that you have allowed American Samoa this time in order to determine its position.

I appreciate your favorable consideration of this request and I look forward to working with you to ensure that American Samoa's concerns are addressed as implementation of the Telecommunications Act proceeds.

Sincerely,

  
TOGIOLA T.A. TULAFONO  
Acting Governor

cc: Aleki Sene, Director of Communications

No. of Copies rec'd 1

PENNSYLVANIA  
SCHOOL BOARDS  
ASSOCIATION, INC.



774 LIMEKILN ROAD, NEW CUMBERLAND, PA 17070-2398 / (717) 774-2331 / FAX (717) 774-0718

July 16, 1997

Joseph V. Oravitz  
Executive Director

Mr. William Caton, Acting Secretary  
Federal Communications Commission  
Room 222, 1919 M Street NW  
Washington, DC 20554

JUL 17 1997

FCC

Re: Joint Petition for Stay filed by Southwestern Bell  
Corporation, Pacific Bell and Nevada Bell, CC Docket No. 96-45

Dear Mr. Canton:

On behalf of the 4500 school directors in Pennsylvania, I am writing to urge the FCC to deny the Joint Petition for Stay filed in response to the FCC's Universal Service Order. It is incomprehensible to us why this Order, including the school and library discount provisions, should be halted, particularly with the program set to begin in the next two months.

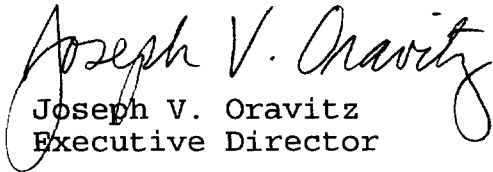
In November, 1996, PSBA organized a coalition named EdLiNC PA comprised of 15 state education and library associations to closely monitor the FCC's proceedings and begin educating our schools and libraries on the pending Universal Service Order. We have met regularly, been closely involved with our Public Utility Commission's Universal Service Task Force, and have devoted vast amounts of time and resources to inform school officials, teachers, business officials, and librarians about the E-Rate program and what actions they should be taking in order to be prepared to apply for discounts.

In fact, PSBA alone has provided personal assistance to almost one-fourth of the school districts in Pennsylvania that have had questions as they prepare to apply for discounts. Many of these districts are poor and rural, qualified to receive "90% discounts" and cannot afford to purchase technology services without the Universal Service funds to supplement the costs. For example, Ridgeway Area School District budgeted \$17,000 to install a T-1 line and monthly Internet access in their three school buildings during the 1997-98 school year, but when their local telephone company quoted them a price of \$30,000, the project was put on hold for another entire school year. Thanks to the schools and libraries discount program that will make them eligible to receive a "70% discount", the district has decided to put the project back on the table. If the program continues as scheduled, this means that the students and teachers of Ridgeway Area School District in Elk County PA will have high-speed Internet access by the end of January, 1998.

Mr. William Caton  
July 16, 1997  
Page 2

Ridgeway Area School District is just one example of the loss that will be suffered if the Petition for Stay is granted. Numerous schools in PA are poised to complete applications and begin accepting bids for services. I urge you to deny this request and allow the program to proceed as planned. To stall the program even a few months means children, not only in PA but across the nation, will be penalized.

Sincerely,

  
Joseph V. Oravitz  
Executive Director

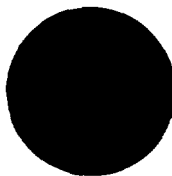
JVO/gr

# Nebraska Public Service Commission

300 The Atrium, 1200 N Street  
(402) 471-3101

P.O. Box 94927  
Nebraska Consumer Hot Line 1-800-526-0017

Lincoln, Nebraska 68509-4927  
Fax (402) 471-0254



July 15, 1997

RECEIVED

JUL 17 1997

FCC MAIL ROOM

William Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

DOCKET FILE COPY ORIGINAL

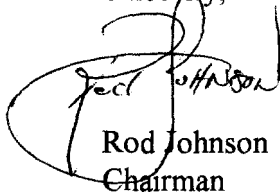
Dear Secretary Caton:

The Commission in CC Docket 96-45, Report and Order, FCC 97-157 (issued May 8, 1997), provided that before schools and libraries are eligible to apply for discounted services, states must adopt a discount matrix for intrastate services that is at least equal to those in the discount matrix for interstate services adopted by the Commission.

In accordance with the Commission's direction, the Nebraska Public Service Commission (NPSC) hereby informs you that the State of Nebraska, by and through the NPSC, has approved and adopted the interstate discount matrix set forth in the Order for intrastate services. A copy of the NPSC's Order approving the discount matrix is attached hereto.

Questions regarding this matter may be directed to Mr. M. Gene Hand, Director of the NPSC Communications Department (402) 471-0244.

Sincerely,

  
Rod Johnson  
Chairman

No. of Copies rec'd  
Listed Below

0

COMMISSIONERS:  
ANNE C. BOYLE  
LOWELL C. JOHNSON  
ROD JOHNSON  
FRANK E. LANDIS  
DANIEL G. URWILLER

EXECUTIVE DIRECTOR:  
ROBERT R. LOGSDON



BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

**RECEIVED**

In the Matter of the Nebraska Public Service )  
Commission on its Own Motion to Consider )  
the Establishment of Intrastate Discounts )  
Applicable to Telecommunications Services )  
for Schools and Libraries in the State of )  
Nebraska. )

Application No. C-1558

JUL 17 1997

Intrastate Discounts Adopted

**FCC MAIL ROOM**

Entered: July 15, 1997

BY THE COMMISSION:

On June 11, 1997, this Commission opened a docket on its own motion to determine the level of discounts to be established for intrastate telecommunications services for schools and libraries in the State of Nebraska. Notice of the docket was published in The Daily Record on June 16, 1997. Notice of the docket was also sent to the Omaha World-Herald, the Lincoln Journal-Star and television station KOLN/KGIN in Lincoln. By first-class mail, local exchange carriers, State Universal Service Task Force members representing the interests of schools and libraries, the State Department of Education director and the State Universal Service Task Force chair were notified of the commencement of this docket and of the opportunity to submit written comment to the Commission regarding an intrastate discount rate for schools and libraries. Comments were to be submitted on or before July 11, 1997. Comments were filed by the Nebraska Library Commission, the Nebraska Library Association, the Nebraska State Education Association, GTE, US West, Educational Service Unit 10 and the school districts of Anselmo-Merna, Aurora, Cozad, Grand Island, Hastings, Lakeview and Schuyler Central.

OPINION AND FINDINGS

The Telecommunications Act of 1996 (the Act) directed the FCC and state commissions to take steps necessary to establish support mechanisms to ensure affordable telecommunications services are provided to all Americans, including low-income consumers, eligible schools and libraries and rural health care providers.

On May 8, 1997, the FCC released its Report and Order implementing the recommendations of the Federal/State Joint Board on Universal Service (*See* FCC Order 97-157, CC Docket 96-45). Paragraphs 424 through 606 of the Report and Order discussed the discounts for elementary and secondary schools and libraries. The FCC Order provides for the funding of both interstate and intrastate services for schools and libraries.

Eligibility for funding from the interstate Universal Service Fund is conditioned upon the states adopting the federal discount levels for intrastate services. That is, no state funding for intrastate discounts is required provided the FCC discount levels are adopted. The discounts range from twenty percent (20%) to ninety percent (90%) for all telecommunications services, including Internet access and internal connections, subject to a \$2.25 billion annual cap. The

Application No. C-1558

PAGE TWO

range of discounts established by the FCC is correlated to students' eligibility for the national school free and reduced lunch program, and urban or rural location based on metropolitan statistical areas (MSAs).

The following discount matrix has been adopted by the FCC:

<u>% Eligible for National School Lunch Program</u>	<u>How Disadvantaged</u>  <u>Estimated % of U.S. schools in category</u>	<u>Discount level</u>	
		<u>Urban</u> <u>%</u>	<u>Rural</u> <u>%</u>
<1	3	20	25
1-19	31	40	50
20-34	19	50	60
35-49	15	60	70
50-74	16	80	80
75-100	16	90	90

Discounts are to be applied to pre-discount prices. The pre-discount price is significant because it is the total price that carriers would receive for the services they sell to schools and libraries. Schools and libraries must pay the undiscounted portion of the price, the carrier would receive the amount of the discount from the universal service support mechanisms. The FCC believes this will give schools and libraries a strong incentive to secure the lowest pre-discount price.

The FCC states in its Order that the pre-discount price is not to be higher than the lowest price the carrier charges to similarly situated non-residential customers for similar services. The FCC declined to require carriers to file new tariffs to reflect the discounts it has adopted for schools and libraries, but rather, to apply the discount to existing tariff rates where appropriate. We believe this is appropriate for Nebraska carriers as well. Accordingly, we do not require that tariffs reflecting the discounts for schools and libraries be filed.

While we acknowledge that the carriers in Nebraska, and ultimately the ratepayers in this state will be contributors to the federal universal service fund, if the FCC discount matrix is not adopted, Nebraska schools and libraries will not be able to avail themselves of federal funds. Taking into consideration the written comments filed herein, we find the discount range set by the FCC in Order No. 97-157, CC Docket 96-45 to be fair and reasonable.

## O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the discount matrix established by the FCC be mirrored so that schools and libraries in Nebraska be eligible to receive federal funding for intrastate services.

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

---

Application No. C-1558

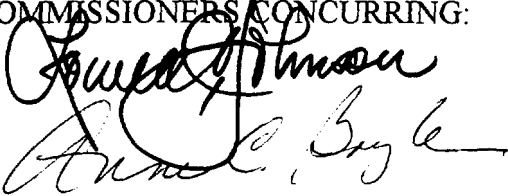
PAGE THREE

IT IS FURTHER ORDERED that the discount matrix contained in FCC Order 97-157, CC Docket 96-45, which is contained in the body of this order, be, and it is hereby, adopted.

MADE AND ENTERED at Lincoln, Nebraska this 15th day of July, 1997.

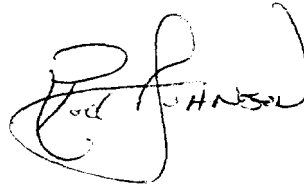
NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:



//s//Rod Johnson  
//s//Frank E. Landis  
//s//Daniel G. Urwiller

Chairman



ATTEST:

Deputy Director

